

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Craig L. Brewster, et al.

Case No. 19-cv-75-NEB-KMM

Plaintiff(s),

v.

United States of America,

**JOINT STIPULATION
REGARDING PROPOSED
AMENDMENTS TO
PRETRIAL SCHEDULING
ORDER**

Defendant(s).

Pursuant to the Court's March 18, 2020, text-only order, ECF No. 48, and in light of the COVID-19 pandemic, Plaintiffs Craig L. Brewster and Jean M. Brewster and Defendant United States of America hereby jointly submit this Stipulation regarding proposed amendments to the Pretrial Scheduling Order, ECF No. 45. The parties are in agreement on the following proposed dates for an Amended Pretrial Scheduling Order, which moves each remaining deadline approximately three months, and are submitting a Proposed Order contemporaneously with this Joint Stipulation:

1. Fact discovery shall be commenced in time to be completed on or before December 29, 2020, with a deadline for substantial completion of document production by **July 31, 2020**.
2. Non-dispositive motions and supporting documents, including those which relate to fact discovery and leave to assert punitive damages (if applicable), shall be filed and served on or before **December 29, 2020**.

3. Each side may call up to **3** expert witnesses. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) and the full disclosures required by Rule 26(a)(2)(B), accompanied by the written report prepared and signed by the expert witness, shall be made as follows:
 - a. Initial experts.
 - i. The identity of any expert who may testify at trial regarding issues on which the party has the burden of persuasion must be disclosed on or before **February 26, 2021**.
 - ii. The initial expert written report completed in accordance with Fed. R. Civ. P. 26(a)(2)(B) must be served on or before **February 26, 2021**.
 - b. Rebuttal experts.
 - i. The identity of any experts who may testify in rebuttal to any initial expert must be disclosed on or before **April 14, 2021**.
 - ii. Any rebuttal expert's written report completed in accordance with Fed. R. Civ. P. 26(a)(2)(B) must be served on or before **April 14, 2021**
4. Each side may take one deposition per expert. Expert discovery, including depositions, shall be completed by **May 18, 2021**. All non-

dispositive motions and supporting documents which relate to expert discovery shall be filed and served on or before **May 18, 2021.**

5. No more than **1** Rule 35 medical examination shall be taken on or before **January 29, 2021.**
6. All dispositive motions shall be filed by the moving party on or before **July 19, 2021.**
7. This case shall be ready for a **bench** trial on **November 19, 2021.** The anticipated length of trial is **5** days.

DATE: April 16, 2020

/s/ Brittany N. Resch

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DATE: April 16, 2020

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